

this reflects the cost of ground operations, flying hours, logistics support, fuel, travel, transportation, and support of the global war on terrorism.

Additionally, it will finance the repair and refurbishment of equipment used in Iraq and Afghanistan to ensure that our forces remain ready to meet global operational commitments.

The bill provides \$15.9 billion for procurement activity across the military. It funds force protection equipment, replacement and repair of equipment lost in operations, and the equipping of units to support upcoming rotations. Senior Department of Defense officials informed our committee that they need to receive this supplemental funding by early May in order not to impact readiness levels.

We all know it will take some time to take this bill through conference, so I urge the Senate to complete action on the supplemental bill as soon as possible so that we can proceed to confer with our friends in the House and give this bill to the President for signature so it can be reviewed by the processes downtown, which takes at least 10 days, and get this money to the Department in time to meet these contingencies so they don't have to borrow additional moneys from other accounts. It complicates the operation when that continues.

I hope Senators will come forward with their amendments, if they have any, on this portion of the supplemental bill.

Again, I commend our distinguished chairman and senior ranking member, Senator COCHRAN and Senator BYRD, for their cooperation with us in bringing this portion of this bill before the Senate. We are a little bit lower than the House, and the bill is lower than the President's request. I think as matters continue we are going to have to review the numbers and make sure we meet the pressing, urgent needs of those who wear the uniform of the United States.

Again, I urge Senators to come forward and make suggestions for amendments, if they have them. I look forward to continued support of this bill.

The ACTING PRESIDENT pro tempore. The Senator from Hawaii is recognized.

Mr. INOUE. Mr. President, the bill before us, as noted by the Senator from Alaska, includes \$74.4 billion. Of that amount, \$73.3 billion is under the jurisdiction of the Subcommittee on Defense.

The vast majority of this funding, approximately \$42.5 billion, is recommended to cover the costs of operations in Iraq and Afghanistan. With 150,000 military personnel in Iraq and another 18,000 in Afghanistan, the funding included in this bill is essential to support our forces.

The bill also includes \$12 billion to repair and replace equipment damaged in the operations abroad. This funding will allow the military departments to reequip our forces who are returning

from combat. Without these funds, our military would not be equipped to meet future crises.

The bill provides \$5.3 billion for new equipment for our Army and Marine forces as they restructure their forces to create additional combat capability. While some may question whether these funds qualify as emergencies, it should be clear that our military forces will need these funds as they begin restructuring transformation.

Finally, the remaining funds are provided to support those nations which are taking part in the operations abroad, including training and equipping the Afghans and Iraqis, and to support related efforts for recruiting, morale welfare, recreation, and other military personnel needs.

I support this bill, and I urge all of my colleagues to join me in supporting this measure. I thank the Chair.

Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### NOMINATION OF PAUL A. CROTTY TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will now go into executive session for the consideration of Executive Calendar No. 38, which the clerk will report.

The assistant legislative clerk read the nomination of Paul A. Crotty, of New York, to be United States District Judge for the Southern District of New York.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 30 minutes of debate equally divided between the chairman and ranking member of the Committee on the Judiciary or their designees.

The Senator from New York.

Mr. SCHUMER. Mr. President, I rise to speak in favor of an extremely fine gentleman, Paul Crotty, to be confirmed to the Southern District of the New York bench. Paul Crotty is a fine man, an outstanding lawyer, and he will make a terrific judge. Paul Crotty is an impressive nominee who has long enjoyed strong bipartisan support for a judgeship in New York. I am glad that at long last his nomination has finally been brought to the floor for a vote after languishing since last November.

First, I would like to talk a little bit about Paul Crotty. He has the support of not only myself and Senator CLIN-

TON, he has the support of a broad range of New Yorkers, in fact. I personally would like to thank two who worked religiously on behalf of Paul Crotty's nomination, two former mayors of New York City, one a Democrat and one a Republican. They are Mayor Ed Koch and Mayor Rudy Giuliani.

Both had worked with Paul Crotty when they were mayor, and both speak extremely highly of him. In fact, I would like to read from the letter, for instance, that Mayor Giuliani sent:

Paul Crotty is one of the finest men I know. He possesses all the qualities of an excellent judge—wisdom, compassion, toughness, curiosity, common sense, unwavering integrity, and an abiding love of the law. . . . Many possess knowledge of the law or knowledge of government. Paul Crotty is the rare individual who possesses mastery of both. He has set and achieved the highest standards at every stage of his career. Our Nation will be fortunate to have him join the Federal bench.

I don't have Mayor Koch's letter, but it was Mayor Koch who suggested to me the idea that Paul Crotty be nominated to the bench. I knew Paul in many different walks of life and thought it was a great idea and was happy to not only support his nomination but to work hard to see that it would pass.

Let me tell you a little bit about Paul Crotty. He has had a long and distinguished career in both the public and private sectors of the New York legal community. He graduated from Cornell Law School in 1967. He clerked 2 years for U.S. District Court Judge Lloyd MacMahon of the Southern District, the court to which he is now nominated. He served in city government as Mayor Koch's commissioner of finance and commissioner of housing. He was a partner in the very prestigious New York law firm of Donovan Leisure Newton Irvin.

He went on to serve Mayor Giuliani as New York City's corporation counsel and the head of the city's law department, perhaps the single most difficult legal job in municipal government anywhere in America.

Mr. President, Paul Crotty is an incredible choice. I have known him for a long time. He is smart, compassionate, decent. He has the two qualities I look for in a judge: a fine and deep intellect and a practical sense. Sometimes I worry that judges without practical experience impose things on Government or on society that cannot work, even though they might sound fine when you see it in writing and in black and white.

Paul's extensive and practical experience, as well as his legal experience, makes him a perfect candidate for a judge in the district court in the Southern District of New York, one of the most important courts in the country.

I want to make one other point. In New York, Paul Crotty's nomination is not the exception, it is the rule. We have worked extremely well together—the White House, the Justice Department, and the Senator from New

York—to bring judges to the floor. There have been no vacancies that have been outstanding for a long period of time in either the Second Circuit, which I know my good friend and colleague, the ranking member, Senator LEAHY, is part of as well, nor have there been in the four district courts of New York in the East, Northwest, and South.

I think we have worked together well on this Crotty nomination. In general, we have worked well together in New York. The White House and Senate, including Democrats in the Senate, can work well together to bring fine men and women to the bench.

The candidates who have been nominated in the Second Circuit and in the courts of New York—I don't agree with them on everything at all, but they are fine people. They are qualified people, and I would say none of them are at the extremes—either far right or far left. They are not the kind of ideologues who seek to make law. They are, rather, the kind of people the Founding Fathers wanted to see on the bench, people who would interpret the law.

Judges have awesome power, and judges on the Federal level have a lifetime appointment. You combine those two and you know you need people who don't think they know better than the public, that they know better than the Congress, that they know better than others. They interpret law; they don't make law. Paul Crotty exemplifies this. I am proud to support his nomination. I hope he will get unanimous support on the floor of the Senate. I know he will make an outstanding judge.

I congratulate Paul Crotty for his great career, and his wife, his children, and the entire Crotty family, who are well known in New York for their public service from one end of the State in Buffalo, where the family originally came from, to the other end in New York City.

I yield the floor to our ranking member, Senator LEAHY.

Mr. LEAHY. Mr. President, I ask unanimous consent that the Senator from New York, Mrs. CLINTON, be recognized, but that I retain the last 5 minutes of the time before the vote.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from New York, Mrs. CLINTON, is recognized.

Mrs. CLINTON. Mr. President, I thank my colleague and our ranking member of the Judiciary Committee. I, too, am enthusiastic about this nominee. This is a supremely qualified judicial nominee, and he will serve with great distinction in the Southern District in New York. He does hail from a family and tradition of public service, and his hometown of Buffalo is particularly pleased this vote is about to occur.

Mr. President, he has distinguished himself in both the public and the private sectors. He served for years as a practicing attorney in New York City.

He has served as a counsel for a major corporation, and he has always served his community. After the attack of September 11, Paul Crotty signed on to serve on the Lower Manhattan Development Board to help Lower Manhattan recover from those devastating attacks. He has been active in organizations, such as the New York Urban League, City Bar Fund, and the Tri-State United Way. He worked very closely with Mayor Ed Koch, first as commissioner of financial services, and then as commissioner of housing preservation and development.

He later served as corporation counsel to Mayor Giuliani, during which he advised the mayor on a wide variety of issues. So, without question, Paul Crotty has the intellect, demeanor, and commitment to justice to serve the people of New York and America with distinction.

I, also, congratulate the entire Crotty family: Paul's wife Jane, his children John, Elizabeth, and David, his daughter-in-law Katherine, and his brothers Bob and Jerry, because this is a family accomplishment. The Crotty family, which extends far beyond the names I have mentioned—there are too many to enumerate—is a very close-knit family. I know how much pride they take in this nomination. Paul's father, Peter J. Crotty, who passed away in 1992, was a great political leader in New York. He instilled in his children that sense of tradition.

Finally, I want to acknowledge Paul's mother Margaret who is 92 years old and still lives in Buffalo. She has been and remains a tremendous influence in Paul Crotty's life and that of the entire Crotty family.

With this nomination today, Mr. President, the Senate will have confirmed 205 of the judicial nominations sent to the Senate by the President. I am very pleased we were all able to come together across the aisle to unanimously, I hope, support someone who is so well qualified for this lifetime appointment. Again, I thank my friend and colleague from Vermont, and I yield back my time.

The ACTING PRESIDENT pro tempore. The Senator from Vermont is recognized.

Mr. LEAHY. Mr. President, I am pleased to see the Senate finally be able to vote on the nomination of Paul Crotty to be a U.S. District Court Judge for the Southern District of New York. The seat to which Mr. Crotty has been nominated has been unnecessarily vacant for months, and Democrats have been asked for months now, since last year, for this nominee to be considered, debated, voted on and confirmed.

As I have noted in earlier statements in the Judiciary Committee, among this President's renominations there are two noncontroversial judicial nominations on which we should have been able to make immediate progress. I have often spoken of the President's nomination of Mr. Crotty to the Dis-

trict Court for the Southern District of New York and the nomination of Michael Seabright to the District Court of Hawaii. All Democrats on the Judiciary Committee have been prepared to vote favorably on these nominations for some time. We were prepared to report them last year, but they were not listed by the then-chairman on the committee agenda. I thank Chairman SPECTER for including them at our meeting on March 17.

Last week I noted that both these consensus nominations were continuing to languish without action on the Senate calendar and that the Senate Republican leadership was refusing to work with us to schedule them for action. I thank the Senate Republican leadership for being willing to turn to the Crotty nomination this evening. I hope that they will not make Mr. Seabright, the people of Hawaii and the Hawaii District Court wait much longer before we are allowed to consider, debate and confirm Michael Seabright, as well.

Once confirmed, Mr. Crotty will be the 205th of 215 nominees brought before the full Senate for a vote to be confirmed. That means that 829 of the 875 authorized judgeships in the Federal judiciary, or 95 percent, will be filled. As late as it is in the year, we are still ahead of the pace the Republican majority set in 1999, when President Clinton was in the White House. That year, the Senate Republican leadership did not allow the Senate to consider the first judicial nominee until April 15.

Of the 46 judicial vacancies now existing, President Bush has not even sent nominees for 28 of those vacancies; more than half. I have been encouraging the Bush administration to work with Senators to identify qualified and consensus judicial nominees and do so, again, today.

It is now the second week in April, we are more than one-quarter through the year, and so far the President has sent only one new nominee for a Federal court vacancy all year—only one. Instead of sending back divisive nominees, would it not be better for the country, the courts, the American people, the Senate and the administration if the White House would work with us to identify, and for the President to nominate, more consensus nominees like Paul Crotty who can be confirmed quickly with strong, bipartisan votes?

I commend the Senators from New York for their ability and efforts in connection with Mr. Crotty's nomination. Their support is very helpful and indicative of the type of bipartisan efforts Senate Democrats have made with this President and remain willing to make. We can work together to fill judicial vacancies with qualified, consensus nominees. The vast majority of the more than 200 judges confirmed during the last 3½ years were confirmed with bipartisan support. The truth is that in President Bush's first term, the 204 judges confirmed were

more than were confirmed in either of President Clinton's two terms, more than during the term of this President's father, and more than in Ronald Reagan's first term when he was being assisted by a Republican majority in the Senate. By last December, we had reduced judicial vacancies from the 110 vacancies I inherited in the summer of 2001 to the lowest level, lowest rate and lowest number in decades, since Ronald Reagan was in office.

There should be no misunderstanding; Mr. Crotty has strong Republican ties. He worked as Corporation Counsel for then-Mayor Rudolph Giuliani, and served in New York City government in a variety of posts over the years. After the terrorist attack on September 11, 2001, Mr. Crotty played a major role in coordinating Verizon's work in restoring telephone service to the New York Stock Exchange, Federal, State and local agencies and large business customers. He continues to play a significant role in Verizon's revitalization of its telephone network in Lower Manhattan. In 2002, Mr. Crotty led Verizon's efforts in a complex administrative proceeding to gain the New York Public Service Commission's authorization to rebalance retail revenues in light of the increasing competition in New York's communication market.

Mr. Crotty has also given generously of his time and currently serves on the Boards of the Lower Manhattan Development Corporation, Tri-State United Way, where he is also the Corporate Secretary, Polytechnic University, Council of Governing Boards, St. Vincent's Hospital-Manhattan, New York State Business Development Corporation, Regional Plan Association, and the New York Urban League. He has served on the Executive Committee of the Association of the Bar of the City of New York since 2001. In addition, Mr. Crotty serves on the Advisory Boards of the New York Law School and the C.U.N.Y. Irish Studies program.

Senate Democrats have long supported and requested action on this nomination. We will be delighted that the New York Senators will be able to call Mr. Crotty tonight and tell him that after 5 months of unnecessary delay the Senate finally did consider his nomination and granted consent overwhelmingly. I add my congratulations to Mr. Crotty and his family.

I have been urging this President and Senate Republicans for years to work with all Senators and engage in genuine, bipartisan consultation. That process leads to the nomination, confirmation, and appointment of consensus nominees with reputations for fairness. The Crotty nomination, the bipartisan support of his home State Senators and the Senate's act of granting its consent tonight with a strong bipartisan vote is a perfect example of what I have been urging.

I have noted that there are currently 28 judicial vacancies for which the President has delayed sending a nomi-

nee. In fact, he has sent the Senate only one new judicial nominee all year. I wish he would work with all Senators to fill those remaining vacancies rather than through his inaction and unnecessarily confrontational approach manufacture longstanding vacancies. It is as if the President and his most partisan supporters want to create a crisis. Last week we heard some extremists call for mass impeachments of judges, court-stripping and punishing judges by reducing court budgets. Rather than promote crisis and confrontation, I urge that this President do what most others have and work with us to identify outstanding consensus nominees. It ill serves the country, the courts, and most importantly the American people for this administration and the Senate Republican leadership to continue down the road to conflict. The Crotty nomination shows how unnecessary that conflict really is. Let us join together to debate and confirm these consensus nominees to these important lifetime posts on the Federal judiciary.

It is the Federal judiciary that is called upon to rein in the political branches when their actions contravene the constitutional limits on governmental authority and restrict individual rights. It is the Federal judiciary that has stood up to the overreaching of this administration in the aftermath of the September 11 attacks. It is more and more the Federal judiciary that is being called upon to protect Americans' rights and liberties, our environment and to uphold the rule of law as the political branches under the control of one party have overreached. Federal judges should protect the rights of all Americans, not be selected to advance a partisan or personal agenda. Once the judiciary is filled with partisans beholden to the administration and willing to reinterpret the Constitution in line with the administration's demands, who will be left to protect American values and the rights of the American people? The Constitution establishes the Senate as a check and a balance on the choices of a powerful President who might seek to make the Federal judiciary an extension of his administration or a wholly-owned subsidiary of any political party.

Today, Republicans are threatening to take away one of the few remaining checks on the power of the executive branch by their use of what has become known as the nuclear option. This assault on our tradition of checks and balances and on the protection of minority rights in the Senate and in our democracy should be abandoned.

Eliminating the filibuster by the nuclear option would destroy the Constitution's design of the Senate as an effective check on the executive. The elimination of the filibuster would reduce any incentive for a President to consult with home State Senators or seek the advice of the Senate on lifetime appointments to the Federal judiciary. It is a leap not only toward one-

party rule but to an unchecked executive.

Rather than blowing up the Senate, let us honor the constitutional design of our system of checks and balances and work together to fill judicial vacancies with consensus nominees. The nuclear option is unnecessary. What is needed is a return to consultation and for the White House to recognize and respect the role of the Senate appointments process.

The American people have begun to see this threatened partisan power grab for what it is and to realize that the threat and the potential harm are aimed at our democracy, at an independent and strong Federal judiciary and, ultimately, at their rights and freedoms. Tonight's confirmation is a civics lesson that shows that the Republican's threatened use of the nuclear option is unnecessary and unwise.

Mr. President, I see the chairman of the committee on the floor. While I had the remainder of the time reserved, I will yield it to him, if that is possible—we are still going to vote at 5:30—if the chairman wishes. I yield the remainder of my time to the chairman.

The ACTING PRESIDENT pro tempore. The minority's time has expired. There were 15 minutes to each side. The Senator from Pennsylvania does have 15 minutes.

Mr. SPECTER. Mr. President, I thank the distinguished ranking member for his cooperation in moving the nomination of Paul A. Crotty to the U.S. District Court for the Southern District of New York.

By way of a very brief reply, I came in in the middle of the comments by the Senator from Vermont because he and I just attended a very lengthy meeting on the asbestos issue. We are working very hard and cooperatively on many matters on the Judiciary Committee. Asbestos is very high on the list. Just a brief comment there.

There are thousands of victims of mesothelioma who are dying and not being compensated because their companies have gone into bankruptcy. Some 74 companies have gone into bankruptcy, an enormous drain on the economy. I think it is fair to say that we just had a positive meeting with a number of Democrats and with Members of my side of the aisle. We are making progress.

I could not be here at the start of the argument because of the commitment there. I came in to hear the Senator from Vermont comment about the President, and I believe the President has made comments which are supportive of the Federal judiciary, as has the majority leader, Senator FRIST, made comments supportive of the Federal judiciary.

The Schaivo case raised the emotional level very high in the United States—really, beyond—for people who were on both sides of the issue. The rhetoric, I am pleased to see, has cooled, at least to some extent, but I believe that the Federal judiciary acquitted themselves in accordance with

their authority under separation of power, and there has been respect for the judicial role expressed by both the President of the United States and the majority leader of the Senate. That is enough said on that subject. I had not intended to get into it to any extent, but having heard those comments, I believe it is appropriate to respond.

Paul Crotty has a very distinguished academic record. He has a law degree from Cornell Law School, where he was a member of the Order of the Coif. He then clerked for Judge Lloyd MacMahon in the Southern District of New York. He has 35 years of legal experience. He is with the very prestigious New York firm of Donovan Leisure Newton & Irvine. He has had a notable career in public service, having served as a New York City commissioner in two mayoral administrations, first for Ed Koch and later for Rudolf Giuliani. So he worked on both sides of the aisle, Democratic and Republican.

He is currently the group president for New York and Connecticut of Verizon Communications. The American Bar Association gave him the highest rating of "well qualified." He has the support of both New York Senators, and he has an excellent record.

I see the Senator from New York just arrived. He has already spoken. I do not have to make an act of generosity and give him 2 minutes, which will bring us to 5:30.

Mr. President, how much time remains?

The ACTING PRESIDENT pro tempore. The Senator has 10 minutes remaining.

Mr. SPECTER. I intend to conclude at 5:30 so we can start the vote because there are two votes. I know people are anxious to have the votes start. I do not think there is any question about Mr. Crotty being confirmed. He is an able candidate.

It is my hope that we will be able to move other nominees to the Senate floor for confirmation. The committee has reported out the nomination of William Myers, and it is my hope we will get an up-or-down vote on Mr. Myers. There is significant opposition, which I understand.

We are moving to conclude the consideration of Mr. Griffith, and then we have other nominees behind him.

I yield back the remainder of my time, and I ask for the yeas and nays on this nomination.

The ACTING PRESIDENT pro tempore. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Paul A. Crotty, of New York, to be United States District Judge for the Southern District of New York?

The clerk will call the roll.

The assistant journal clerk called the roll.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI) and the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from North Dakota (Mr. DORGAN), the Senator from Iowa (Mr. HARKIN), and the Senator from New Jersey (Mr. LAUTENBERG) ARE NECESSARILY ABSENT.

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 0, as follows:

[Rollcall Vote No. 87 Ex.]

#### YEAS—95

Akaka	DeWine	McCain
Alexander	Dodd	McConnell
Allard	Dole	Mikulski
Allen	Domenici	Murray
Baucus	Durbin	Nelson (FL)
Bayh	Ensign	Nelson (NE)
Bennett	Feingold	Obama
Biden	Feinstein	Pryor
Bingaman	Frist	Reed
Bond	Graham	Reid
Boxer	Grassley	Roberts
Brownback	Gregg	Rockefeller
Bunning	Hagel	Salazar
Burns	Hatch	Santorum
Burr	Hutchison	Sarbanes
Byrd	Inhofe	Schumer
Cantwell	Inouye	Sessions
Carper	Isakson	Shelby
Chafee	Jeffords	Smith
Chambliss	Johnson	Snowe
Clinton	Kennedy	Specter
Coburn	Kerry	Stabenow
Cochran	Kohl	Stevens
Coleman	Kyl	Sununu
Collins	Landrieu	Talent
Conrad	Leahy	Thomas
Cornyn	Levin	Thune
Corzine	Lieberman	Vitter
Craig	Lincoln	Voinovich
Crapo	Lott	Warner
Dayton	Lugar	Wyden
DeMint	Martinez	

#### NOT VOTING—5

Dorgan	Harkin	Murkowski
Enzi	Lautenberg	

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. The President will be immediately notified of the Senate's action.

Mr. DORGAN. Mr. President, I would like the RECORD to reflect that I was necessarily absent for the vote on the nomination of Paul Crotty to be United States District Judge for the Southern District of New York. Had I been present, I would have voted in support of the nomination.

#### LEGISLATIVE SESSION

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will return to legislative session.

#### AIRBUS LAUNCH AID

The ACTING PRESIDENT pro tempore. Under the previous order, the clerk will report S. Con. Res. 25 by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 25) expressing the sense of Congress regarding the application of Airbus for launch aid.

Mr. FRIST. Mr. President, I ask for the yeas and nays.

The ACTING PRESIDENT pro tempore. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the concurrent resolution. The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. ENZI) and the Senator from Alaska (Ms. MURKOWSKI).

Mr. DURBIN. I announce that the Senator from Iowa (Mr. HARKIN) and the Senator from New Jersey (Mr. LAUTENBERG) are necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 88 Leg.]

#### YEAS—96

Akaka	DeWine	Martinez
Alexander	Dodd	McCain
Allard	Dole	McConnell
Allen	Domenici	Mikulski
Baucus	Dorgan	Murray
Bayh	Durbin	Nelson (FL)
Bennett	Ensign	Nelson (NE)
Biden	Feingold	Obama
Bingaman	Feinstein	Pryor
Bond	Frist	Reed
Boxer	Graham	Reid
Brownback	Grassley	Roberts
Bunning	Gregg	Rockefeller
Burns	Hagel	Salazar
Burr	Hatch	Santorum
Byrd	Hutchison	Sarbanes
Cantwell	Inhofe	Schumer
Carper	Inouye	Sessions
Chafee	Isakson	Shelby
Chambliss	Jeffords	Smith
Clinton	Johnson	Snowe
Coburn	Kennedy	Specter
Cochran	Kerry	Stabenow
Coleman	Kohl	Stevens
Collins	Kyl	Sununu
Conrad	Landrieu	Talent
Cornyn	Leahy	Thomas
Corzine	Levin	Thune
Craig	Lieberman	Vitter
Crapo	Lincoln	Voinovich
Dayton	Lott	Warner
DeMint	Lugar	Wyden

#### NOT VOTING—4

Enzi	Lautenberg
Harkin	Murkowski

The concurrent resolution (S. Con. Res. 25) was agreed to, as follows:

#### S. CON. RES. 25

Whereas Airbus is currently the leading manufacturer of large civil aircraft, with a full fleet of aircraft and more than 50 percent global market share;

Whereas Airbus has received approximately \$30,000,000,000 in market distorting subsidies from European governments, including launch aid, infrastructure support, debt forgiveness, equity infusions, and research and development funding;

Whereas these subsidies, in particular launch aid, have lowered Airbus' development costs and shifted the risk of aircraft development to European governments, and thereby enabled Airbus to develop aircraft at an accelerated pace and sell these aircraft at prices and on terms that would otherwise be unsustainable;

Whereas the benefit of these subsidies to Airbus is enormous, including, at a minimum, the avoidance of \$35,000,000,000 in debt as a result of launch aid's noncommercial interest rate;

Whereas over the past 5 years, Airbus has gained 20 points of world market share and 45 points of market share in the United States, all at the expense of Boeing, its only competitor;